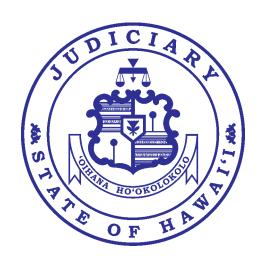
The Judiciary State of Hawai'i



2002 Annual Report

The mission of the Judiciary, as an independent branch of government, is to administer justice in an impartial, efficient, and accessible manner in accordance with the law.

I am pleased to present our 2002 Annual Report that details the work of the Judiciary during the past year. As an independent branch of government, the Judiciary's role is to administer justice in an impartial manner, free from outside influences.

This report reflects the dedication of the men and women who work in the court system. Each day, these employees strive to do their best to fulfill our mission, all the while knowing that what they do could likely have far-reaching effects on people's lives. I am proud of the work of our employees and extend my heartfelt thanks and appreciation to them. I also thank another valuable part of our Judiciary family—the many volunteers who unselfishly give of their time and talent to serve the people of Hawai'i.

On behalf of the Judiciary, I extend our sincere appreciation to the Legislature for its continued support of our budgetary needs and legislative initiatives. I also extend warmest aloha to Governor Lingle, her cabinet, and members of the Legislature. We pledge our continuing commitment to working with you to build a dynamic and progressive judicial system. Our mutual quest for excellence depends on our cooperative and collaborative efforts.

Ronald T. Y. Moon Chief Justice

Hawai'i Supreme Court



The Judiciary – State of Hawaiʻi

Table of Contents

| WIONTH-DY-WIONTH MIGHLIGHTS | 1 |
|-------------------------------|----|
| STRUCTURE OF THE JUDICIARY | |
| Court System | 7 |
| Administrative System | 8 |
| New Judicial Appointments | 9 |
| Courts of Appeal | 11 |
| Supreme Court | 14 |
| Intermediate Court of Appeals | 16 |
| Land Court | 18 |
| Tax Appeal Court | 18 |
| Trial Courts | 19 |
| Circuit Courts | 20 |
| Family Courts | 24 |
| District Courts | 28 |
| Per Diem Judges | 30 |
| SUPPORT SERVICES | 31 |
| Financial Resources | 32 |

Month-By-Month Highlights

JANUARY

Scope of Drivers License Revocation Office Expands
Effective January 1, 2002, the scope of
the cases processed by the Administrative
Drivers License Revocation Office expands to
include revocation proceedings resulting
from arrests for driving under the influence of
drugs and boating under the influence of
intoxicating liquor or drugs.

Part III, Act 189, Session Laws of Hawai'i 2000, consolidated all existing provisions relating to driving under the influence of intoxicating liquor or drugs and boating under the influence of intoxicating liquor into a new chapter codified as HRS Chapter 291E. Chapter 291E provides for both administrative license revocation proceedings and penal sanctions for a single offense relating to operating a vehicle while under the influence of an intoxicant.

FEBRUARY

Adult Probation Offers More Services to Victims Thanks to federal funds received through the Victims of Crime Act, First Circuit Court has a victim services coordinator to answer victims' questions or concerns about offenders who have gone to court and are pending sentencing or have already been sentenced to probation. The coordinator helps victims complete victim impact statements and answers questions regarding requests for restitution or restitution payments owed by defendants on probation. The coordinator also provides services to persons receiving help from Victim Witness Kokua Services, a program of the Prosecuting Attorney's Office.

Oʻahu District Court Civil Cases Available on the Internet

Information on new District Court civil cases filed in the First Judicial Circuit after November 15, 2001, becomes available through the Judiciary's Internet website at www.courts.state.hi.us. Internet users can search for a District Court civil case by case number or by name of party, and find information such as document name, and filing date and time. In addition, users can obtain a list of court appearances, including date, time and description of appearance, minutes of the hearing prepared by the court clerk, disposition (if any), and settlement conference report minutes (if any). Generally, the data is current to within 72 hours of the date of a filing of a court document or hearing.

APRIL

First Circuit Begins "One Family/One Judge" Project
The Family Court of the First Judicial
Circuit begins a pilot project, "One Family/
One Judge." The four judges in the Juvenile
Division are assigned to a specific geographic
section of O'ahu—Central, Leeward,
Honolulu, and Windward—and have primary
responsibility for the disposition of the
juveniles in their respective areas. The
objective is to establish closer relationships
between the judges and the children,
families, and communities they serve,
resulting in a stronger bond that enhances
community safety as well as the juveniles'
rehabilitation efforts.

MAY

Law Dau

On May 1, Chief Justice Ronald Moon presents Department of Education Superintendent Patricia Hamamoto with a prototype of a lesson plan to help students learn about judicial independence. The Judiciary produces lesson plans for middle and high schools and distributes the plans. along with copies of a video about judicial independence, to public and private schools throughout the state. The video, entitled "Broken Scales: Justice Under Influence," was produced last year by the Hawai'i Chapter of the American Board of Trial Advocates. The chief justice also presents Michael Gibson, President of the Hawai'i State Bar Association, with a speaker's kit and the video with the hope that attorneys will join state judges to inform the public about the judicial system.

Also to commemorate Law Day, <u>The Honolulu Advertiser</u> publishes four articles written by state judges. The topics of the articles and the authors are: "Civics Education is Critical," Chief Justice Moon; "The Right to Counsel is Critical," Associate Judge Daniel Foley; "Justice isn't Blind to Needy," District Court Judge Reinette Cooper; and "Burden of Proof is Critical," Circuit Court Judge Richard Pollack.

Agreement Made to Enhance Use of Intermediate Sanctions

Executive and judicial branch officials sign a landmark agreement to fund and implement a statewide plan to reduce the likelihood that criminals will re-offend and to prevent future victimization through the effective use of intermediate sanctions. The agreement marks an unprecedented collaboration between the state Judiciary and the Executive Branch, namely the state Departments of Health, Public Safety, and the Attorney General.

Gangnes and McKenzie Sworn In

On May 22, Hilary Benson Gangnes and Christopher P. McKenzie are sworn in as judges for the District Court of the First Judicial Circuit.

First Circuit Develops Family Drug Court

The First Judicial Circuit begins accepting clients into its new Family Drug Court program. The program helps parents at risk of losing their children due to substance abuse problems. Services available through the program include detailed assessment for substance abuse and child safety, psychological evaluations, residential

substance abuse treatment services, and weekly visits to court. Hawai'i is one of the few states that has a family drug court program.



Hawai'i State Bar Association President Michael Gibson (left), HSBA Executive Director Coralie Matayoshi, and Department of Education Superintendent Patricia Hamamoto join Chief Justice Ronald Moon in celebrating Law Day.

Month-By-Month Highlights

Month-By-Month Highlights

Judiciary Launches New Web Site

The Judiciary launches a new, more user-friendly Web site at www.courts.state.hi.us/. The new site features a home page that presents information in a portal format, a familiar and efficient interface employed by search engines and other Web sites that contain an extensive amount of comprehensive information. The categories and subcategories listed offer a single-click entry to key information.

The new Web site also offers more categories to help users quickly identify where the information they are seeking exists, has more ways to navigate through the site, and employs content approaches geared for users including summaries, hyperlinks, bullets, sidebars, and global navigation.

JUNE

Broderick Returns as Administrative Director
Michael Broderick, who served as the
administrative director of the courts for five
years before leaving in 2001 to become the
executive director of the Hawai'i Justice
Foundation, returns as administrative
director of the courts in June. Walter Ozawa,
the administrative director of the courts from
October 2001 to June 2002, becomes the
deputy administrative director.

O'ahu Consolidates Adult Probation Services

The First Judicial Circuit's adult probation services programs are consolidated into one entity as part of phase two of the Judiciary's Achieving Court Excellence (ACE) initiative.

The First Circuit Court's Adult Probation, Family Court of the First Circuit's Adult Services, and District Court of the First Circuit's Probation branches provide intake, pre-sentence investigation, and court-ordered supervision for adult felony or misdemeanor cases. The objective of the consolidation is to promote uniformity, consistency and standardization of practices and procedures. In addition, resources should be more efficiently utilized and clients will be more effectively monitored and held accountable.

Also included in the consolidation are the former District Court programs that provide community service placement and monitoring services and driver education functions.

Murakami, Pacarro, August, and Waldorf Sworn in On June 7, Paul T. Murakami and Clarence A. Pacarro are sworn in as judges for the District Family Court of the First Circuit and District Court of the First Judicial Circuit, respectively.

Joel August is sworn in as judge for the Circuit Court of the Second Judicial Circuit on June 10.

Marcia J. Waldorf is sworn in as a judge for the Circuit Court of the First Judicial Circuit on June 18. She was previously a judge for the District Court of the First Judicial Circuit.

AUGUST

American Bar Association Honors Waldorf
First Circuit Court Judge Marcia J.
Waldorf receives the 2002 Franklin N.
Flaschner Award given annually by the
American Bar Association's Judicial Division
National Conference of Special Court Judges.
The award recognizes an outstanding judge who exemplifies the high ideals, personal

character, and judicial competence of the late Chief Judge Franklin H. Flaschner of the District Court of Massachusetts, who was a leader in advancing the quality of justice in special courts and in improving judicial education.



Judge Waldorf

New Judicial Salary Commission Appointed for 2002-2006 Term

The new members of the Judicial Salary Commission are Joseph M. Bazemore and Marshall W. Hung. Lorraine H. Akiba, Stanley W. Hong, and Dr. Ruth M. Ono are reappointed to serve an additional four years. Their term of office will expire on July 27, 2006. Hong, chair of the commission during the 1998-2002 term, is re-elected chair. Ono will serve as vice chair.

SEPTEMBER

Juvenile Drug Court Holds First Graduation Ceremony

The Oʻahu Family Court holds its first commencement ceremony for eight juveniles who successfully completed all requirements for the Hawaiʻi Juvenile Drug Court Program. The Juvenile Drug Court, a minimum eightmonth treatment-based program for substance abusing, nonviolent juveniles under 18 years of age, was launched in August 2001. Eligible participants must be 12 to 17 years of age; referred to the Family Court for nonviolent law violation; must have a current pattern of substance abuse and not have a history of sex offenses; and must live on Oʻahu and be under the jurisdiction of the Family Court of the First Judicial Circuit.

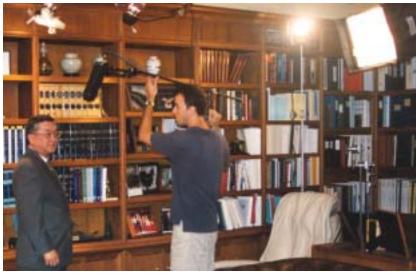
Judiciary Airs Video on Judicial Independence

"Broken Scales: Justice Under Influence," a video about judicial independence, airs six times on Public Cablevision 16 during September and October and once on KITV in October. The Hawai'i Chapter of the American Board of Trial Advocates presented the video to the Hawai'i State Judiciary to use in its ongoing efforts to educate the public about the court's role in the American justice system. In the video, Chief Justice Ronald Moon explains to a group of students why judges must be independent when making their decisions.

Jury Service Web Site and Juror Orientation Video
Unveiled

A Web site to help O'ahu jurors is unveiled on the Internet. The site contains answers to frequently asked questions. Individuals selected by the First Circuit Court for jury service can also find out when they must report for duty through this site. The jury service Web site is created at no cost to the Judiciary as a public service by eHawaiiGov, the State of Hawaii's Internet portal, which is a collaborative effort between the State of Hawai'i and Hawai'i Information Consortium, Inc. The First Judicial Circuit also premiers an updated juror orientation video which takes viewers through the major activities of a "mock trial." The video begins with an introduction by Chief Justice Ronald Moon and is narrated by Judges Shackley Raffetto and Frances Wong.

Month-By-Month Highlights



A crew member works with Chief Justice Ronald Moon during the filming of the First Circuit Court's juror orientation video.

Month-By-Month Highlights

OCTOBER

Hawaiʻi Bar Recognizes History Center, Judge Ibarra

At its annual convention, the Hawai'i State Bar Association (HSBA) presents the King Kamehameha V - Judiciary History Center with its 2002 'Ikena Award, which recognizes an individual or entity for outstanding service to the public through legal education. Since its inception in 1989, the Center has been at the forefront in providing Hawaii's schools, colleges, citizens, and visitors with outstanding law-related educational activities and resources.

The HSBA also presents the 2002 C. Frederick Schutte Award to Judge Ronald Ibarra, Chief Judge of the Third Judicial Circuit, for his involvement in projects to improve the Judiciary.

Urasenke Association Honors Chief Justice Moon

At a special tea ceremony in the Supreme Court courtroom, the Friends of the Judiciary History Center and the Urasenke Hawai'i Association honor Chief Justice Ronald Moon for his years of dedicated public service. As custodian on behalf of the people of Hawai'i, the chief justice accepts a tea bowl dedicated to King Kamehameha I.



On behalf of the King Kamehameha V – Judiciary History Center and the people of Hawai'i, Chief Justice Ronald Moon accepts the tea bowl dedicated to Kamehameha I. Looking on is Ali'i Nui and Grand Master Ali'i Sir Gabriel Makuakane and Jean Ariyoshi, wife of former Governor George Ariyoshi.

Last summer, two tea bowls were dedicated at a "Kencha Shiki" tea ceremony held at 'Iolani Palace for the 30th anniversary of Urasenke in Hawai'i and overseas. The bowl dedicated to Kamehameha I—accepted by Chief Justice Moon—was presented to the King Kamehameha V - Judiciary History Center at Ali'iolani Hale.

Judiciary Recognizes Outstanding Employees

Chief Justice Ronald Moon presents 12 awards to Hawai'i State Judiciary employees and groups who have made outstanding contributions to the state court system.

The Meritorious Service Award honors individuals and groups who have consistently maintained a high level of excellence on the job and have improved the efficiency and operations of the Judiciary. Individuals awarded the Meritorious Service Award are Vera Tabe, Court Support Services Branch, Fifth Judicial Circuit (Kaua'i), and Jeanne Taketa, Fiscal Division, District Court of the First Judicial Circuit (O'ahu).

Two groups from the Family Court of the First Judicial Circuit—the Children & Youth Services Branch and Program Specialists—receive the group Meritorious Service Award.

Spirit of the Judiciary Awards recognize employees who are helpful and show a positive image of the Judiciary. Recipients are Liesje Cattaneo, Adult Probation Division, First Circuit Court; Gayle Miyamoto, Traffic Violations Bureau, District Court of the Second Judicial Circuit (Maui); Spencer Lee, Adult Probation Division, First Circuit Court; Andrew Nagata, Office of the Public Guardian-Maui, Administration; and Glenn Tsutahara, Court Services Section, District Court of the Third Judicial Circuit (Big Island).

Individual Certificates of Commendation are awarded to Mabel Asato, Detention Services Branch, Family Court of the First Judicial Circuit, and Glen Yorimoto, Office of the Deputy Chief Court Administrator, District Court of the First Judicial Circuit.

The Adult Probation Division, Supervision Sections 1, 2, 3, and 4, First Circuit Court, receives a Group Commendation Certificate.

NOVEMBER

Third Judicial Circuit Launches Drug Court

The Third Judicial Circuit launches a Drug Court program in Hilo and Kona. The minimum 12-month treatment-based program channels nonviolent, substance-abusing adult offenders from the traditional criminal justice system. Offenders receive comprehensive treatment and services, such as employment and education. Participants are intensely supervised, must submit to frequent drug tests, and initially must appear weekly before the presiding judge.

DECEMBER

Chief Justice Moon Receives Honorary Membership in Royal Order of Kamehameha I

In a special ceremony held in the Supreme Court courtroom, Chief Justice Ronald Moon receives the title of Ali'i and honorary membership into the Most Noble Royal Order of Kamehameha I. The occasion coincides with the 172nd birthday of King Kamehameha V. The chief justice is chosen for this prestigious honor because of the aloha he has shown the Royal Order of Kamehameha and for his assistance in restoring the memory of the fifth sovereign to Ali'iolani Hale, one of the buildings named for Kamehameha V. Chief Justice Moon is the sixth living non-Hawaiian with the title of Ali'i.

Thirty-three Judges Evaluated

The eighth Judicial Performance Program report provides the results of performance evaluations of 33 judges, who performed well in the areas evaluated. All currently eligible justices and full-time judges have been evaluated at least once.

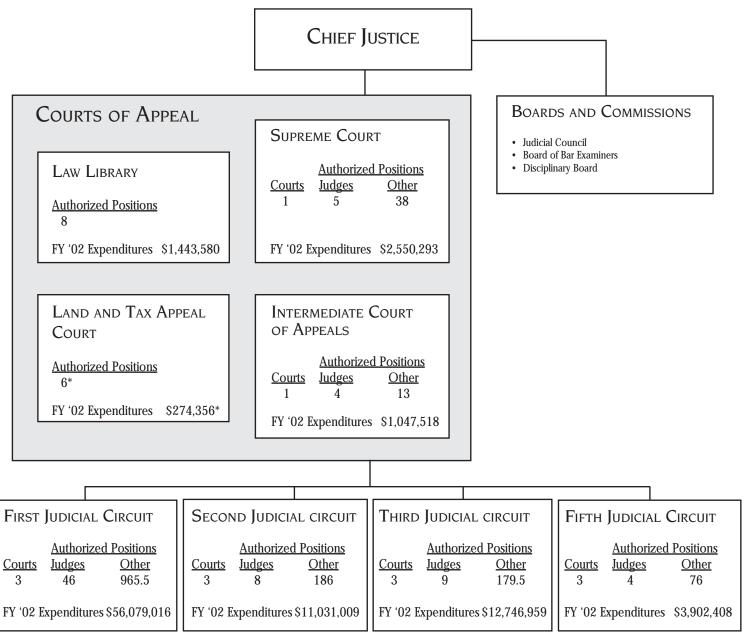
The mean scores for 10 circuit court judges are: 4.0 in Legal Ability; 4.1 in Judicial Management Skills; 4.3 for Comportment; and 4.1 in Settlement and/or Plea Agreement Ability. These scores are based on a scale of possible responses ranging from one for Poor to five for Excellent.

The average scores for eight full-time family court judges are: 4.0, Legal Ability; 4.0, Judicial Management Skills; 4.0, Comportment; and 3.9, Settlement and/or Plea Agreement Ability. The scores also range from one for Poor to five for Excellent.

Fifteen per diem judges are evaluated and their average scores are: 3.9, Legal Ability; 3.8, Settlement and/or Plea Agreement Ability; and 4.0, Judicial Management Skills. Because their Legal Ability and Judicial Management Skills sections have fewer questions than those for the circuit court and full-time family court judges, comparing per diem judges' scores with the others is not a fair comparison.

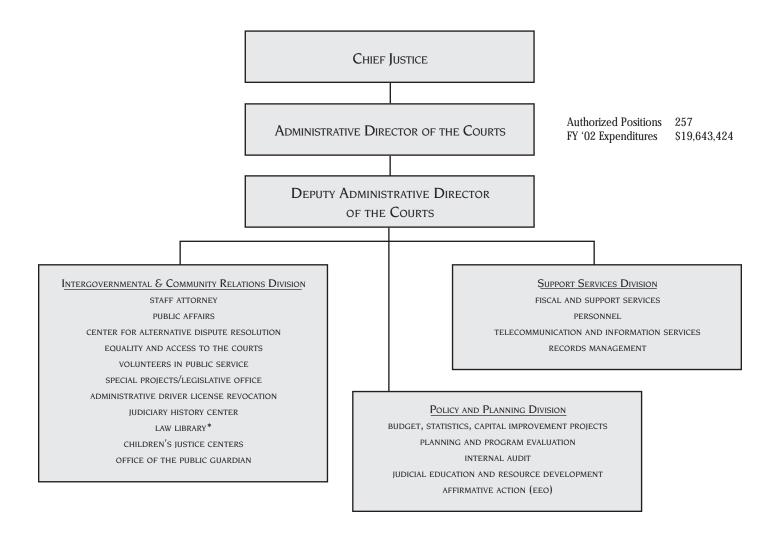
Month-By-Month Highlights

Structure of the Court System



^{*}Funding and positions assigned to First Judicial Circuit.

Structure of the Office of the Administrative Director of the Courts



^{*} Funding reflected under Courts of Appeal

New Judicial Appointments



Judge Joel E. August June 10, 2002 – June 9, 2012

JUDGE JOEL E. AUGUST

Judge Joel E. August was appointed as judge of the Second Judicial Circuit (Maui), filling the vacancy created by the retirement of Judge Artemio Baxa. Since 1982, Judge August served as a per diem judge for the District Court of the Second Judicial Circuit. As a partner with Lowenthal & August since 1980, he specialized in torts, medical malpractice, land use, and criminal defense. Judge August served as president of the Hawai'i State Bar Association in 2000. He received his law degree from the University of California at Berkeley, Boalt Hall.



Judge Hilary Benson Gangnes May 22, 2002 – May 21, 2008

JUDGE HILARY BENSON GANGNES

Judge Hilary Benson Gangnes was appointed to the District Court of the First Judicial Circuit (O'ahu) to fill the vacancy created by the retirement of Judge Tenney Tongg. Prior to her appointment, she was a partner in the law firm of Bronster Crabtree and Hoshibata since January 2001. She also served as a per diem judge for the District Court of the First Judicial Circuit since May 1997. Judge Gangnes received her law degree from the Seattle University School of Law.



Judge Christopher P. McKenzie May 22, 2002 – May 21, 2008

JUDGE CHRISTOPHER P. MCKENZIE

Judge Christopher P. McKenzie was appointed as judge of the District Court of the First Judicial Circuit, filling the vacancy created by the retirement of Judge Russell Blair. Since July 1995, he served as a per diem judge for the District Family Court of the First Judicial Circuit. Previously, he was in private practice, where he had extensive experience handling personal injury cases. Judge McKenzie received his law degree from the University of San Francisco.

New Judicial Appointments

JUDGE PAUL T. MURAKAMI

Judge Paul T. Murakami was appointed to the District Family Court of the First Judicial Circuit to fill the vacancy created by the retirement of Judge Diana Warrington. Since 1995, he served as a per diem judge for the District Family Court of the First Judicial Circuit. Previously, he was in private practice as a sole practitioner, specializing in family law and criminal defense. Judge Murakami received his law degree from the William S. Richardson School of Law.



Judge Paul T. Murakami June 7, 2002 – June 6, 2008

JUDGE CLARENCE A. PACARRO

Judge Clarence A. Pacarro was appointed to the District Court of the First Judicial Circuit to fill the vacancy created by the retirement of Judge I. Norman Lewis. He served as a per diem judge for the District Court of the First Judicial Circuit since 2000. Judge Pacarro previously was a sole practitioner in private practice, emphasizing all aspects of litigation including personal injury, criminal defense, and contracts. He received his law degree from The Lewis and Clark Law School.



Judge Clarence A. Pacarro June 7, 2002 – June 6, 2008

JUDGE MARCIA J. WALDORF

Judge Marcia J. Waldorf was appointed to the Circuit Court of the First Circuit, filling a vacancy left by Judge Gail C. Nakatani. Since 1985, she served as a district court judge of the First Judicial Circuit before her selection to the higher court. Previously, Judge Waldorf worked as a state public defender, where she dealt primarily with criminal and drunken driving cases. A Cum Laude graduate of the University of California at Davis, she received her law degree from the University of San Francisco Law School.



Judge Marcia J. Waldorf June 18, 2002 – June 17, 2012

Courts of Appeal

The Judiciary's appellate level is composed of the Supreme Court and the Intermediate Court of Appeals (ICA). The Courts of Appeal hear appeals from all trial courts and specific state boards and agencies.

Generally, cases assigned to the Supreme Court involve the formulation and development of the law, while cases assigned to the ICA involve possible trial court error or the application of settled law. An ICA decision may be reviewed by the Supreme Court upon request by any party, though the Supreme Court may exercise its discretion in accepting the matter.

Members of the Supreme Court and ICA are appointed to an initial ten-year term by the Governor. The Governor selects appointees from a list of not less than four and not more than six names submitted by the Judicial Selection Commission. All appointments must be confirmed by the State Senate.

To be considered for appointment, a person must be a resident and a citizen of the State and of the United States and licensed to practice law by the Supreme Court of Hawai'i for not less than ten years preceding their nomination. Justices and judges may be retained by the Judicial Selection Commission, but must retire at age 70.

Courts of Appeal

ACTIONS FILED

There were 821 primary cases filed in the Courts of Appeal during the 2001-02 fiscal year – 757 appeals and 64 original proceedings.

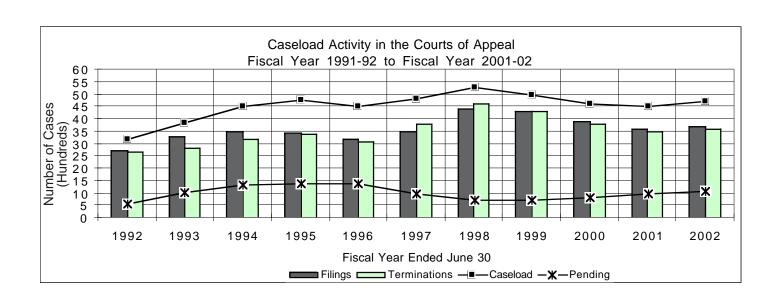
Supplemental proceedings, which arise out of primary cases, are comprised of motions, special stipulations, and applications for certiorari. In fiscal year 2001-02, 2,873 supplemental proceedings were filed in the Courts of Appeal.

TERMINATIONS

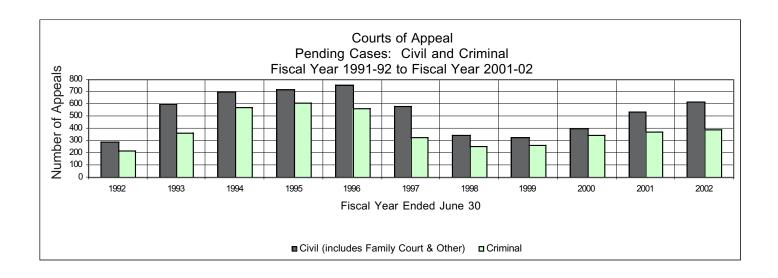
The Courts of Appeal terminated 724 primary cases during fiscal year 2001-02 compared to 662 primary cases terminated during the previous fiscal year. Terminations of supplemental proceedings increased from 2,788 last year to 2,878 this year.

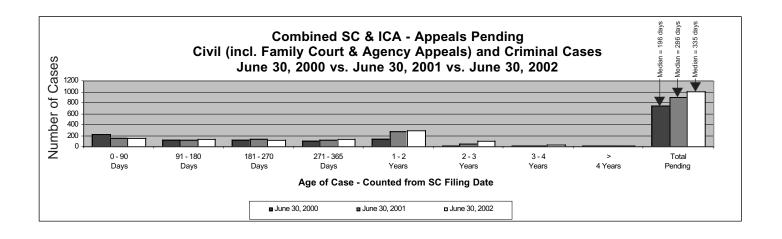
STATUS OF PENDING CASES

There were 1,022 primary cases and 74 supplemental proceedings pending in the Courts of Appeal at the end of the fiscal year. Of the 1,096 pending cases, 66% were being briefed, 31% were ready to be scheduled for hearing or, in the case of supplemental proceedings, ready and awaiting decision without further hearing, and 3% had been taken under advisement and were awaiting decision.



Courts of Appeal





Supreme Court

STRATEGIC MISSION

The mission of the Supreme Court is to provide timely disposition of cases, including resolution of particular disputes and explication of applicable law; license and discipline attorneys; discipline judges; and make rules of procedure for all Hawai'i courts.

COURT DESCRIPTION

The Supreme Court is the State's highest court. Its decisions are binding on all other Hawai'i courts.

In Hawai'i, the primary mission of the Supreme Court is to review the decisions of the lower courts in which appeals have been allowed. Cases that are reviewed by appeal have been initiated in either a trial court or an agency. The Supreme Court has original jurisdiction in proceedings for extraordinary relief in the nature of mandamus, certiorari, and prohibition, and in habeas corpus proceedings.

Each appeal is decided on the basis of the written record. In some cases, the court may hear oral arguments. The court takes no evidence, except in original proceedings. All five justices hear each case.

The members of the Supreme Court are Chief Justice Ronald T.Y. Moon, and Associate Justices Steven H. Levinson, Paula A. Nakayama, Mario R. Ramil, and Simeon R. Acoba, Ir.

Members of the Supreme Court are appointed to an initial ten-year term by the Governor. The Governor selects appointees from a list of not less than four and not more than six names submitted by the Judicial

Selection Commission. All appointments must be confirmed by the State Senate. To be considered for appointment, a person must be a resident and a citizen of the State and of the United States and licensed to practice law by the Supreme Court of Hawai'i for not less than ten years preceding their nomination. Justices may be retained by the Judicial Selection Commission, but must retire by age 70.

In addition to its appellate functions, the Supreme Court is also responsible for the formulation of court rules, the licensing and disciplining of attorneys, and the determination of judicial fitness.

Chief Justice Moon and the Supreme Court are assisted by committees of lawyers and non-lawyers and by staff. The Judicial Council, a citizen's group, provides advice about the administration of justice. The Board of Examiners examines the qualifications of those who wish to practice law in the State.

The Commission on Judicial Conduct reviews complaints against judges and recommends discipline to the Supreme Court. The Office of Disciplinary Counsel investigates complaints against lawyers and recommends appropriate discipline to the Supreme Court.

The Supreme Court Staff Attorney heads a staff of four attorneys who assist the Supreme Court in the processing of its work.

In Hawai'i, the Chief Justice is responsible for the administration of all courts in the State and appoints an administrative director of the courts to manage the non–judicial aspects of the Judiciary.

Supreme Court

ACTIONS FILED

During fiscal year 2001-02, 819 primary cases were filed in the Supreme Court. There were also 2,711 supplemental proceedings filed before the Supreme Court.

TERMINATIONS

Terminations of primary cases increased from last fiscal year – 688 cases to 778. These included 258 cases which were assigned to the Intermediate Court of Appeals.

STATUS OF PENDING CASES

At the end of the fiscal year, 777 primary cases and 48 supplemental proceedings were pending. All pending supplemental proceedings were complete and awaiting decision.

JUSTICES AND THEIR TERMS

CHIEF JUSTICE RONALD T.Y. MOON March 31, 1993 - March 30, 2003

Associate Justice Steven H. Levinson April 7, 2002 - April 6, 2012

ASSOCIATE JUSTICE PAULA A. NAKAYAMA April 22, 1993 - April 21, 2003

ASSOCIATE JUSTICE MARIO R. RAMIL Retired December 30, 2002

ASSOCIATE JUSTICE SIMEON R. ACOBA, JR. May 19, 2000 - May 18, 2010

Intermediate Court of Appeals

STRATEGIC MISSION

The mission of the Intermediate Court of Appeals is to provide timely disposition of appeals from trial courts and state agencies, including the resolution of the particular dispute and explication of the law for the benefit of the litigants, the bar, and the public.

COURT DESCRIPTION

The second highest court in the State, the Intermediate Court of Appeals (ICA) shares concurrent jurisdiction with the Supreme Court in reviewing legal matters brought before the Courts of Appeal. The ICA's cases are assigned by the Supreme Court. Usually, the ICA reviews trial court decisions for errors while the Supreme Court reviews matters involving the formulation of the law. The ICA has the authority to reverse, remand, modify, or affirm decisions in all trial courts. Its decisions are subject to review by the Supreme Court.

The ICA is comprised of four judges, who sit in panels of three.

Intermediate Court of Appeals

ACTIONS FILED

A total of 260 primary cases and 162 supplemental proceedings were assigned to the Intermediate Court of Appeals in fiscal year 2001-02. Primary cases are assigned to the Intermediate Court of Appeals from the Supreme Court while supplemental proceedings may be filed directly with the Intermediate Court of Appeals or transferred from the Supreme Court.

TERMINATIONS

During fiscal year 2001-02, the Intermediate Court of Appeals terminated 58% of its total caseload. This figure includes 204 primary cases and 165 supplemental proceedings.

STATUS OF PENDING CASES

Two hundred forty five cases and 26 supplemental proceedings were pending at the end of the 2001-02 fiscal year, 42% of the total caseload for the year.

JUDGES AND THEIR TERMS

CHIEF JUDGE JAMES S. BURNS May 14, 2002 - May 13, 2012

Associate Judge Corinne K.A. Watanabe May 11, 2002 - May 10, 2012

ASSOCIATE JUDGE JOHN S.W. LIM June 1, 1999 - May 31, 2009

ASSOCIATE JUDGE DANIEL R. FOLEY October 2, 2000 - October 1, 2010

Land Court

DESCRIPTION

The Land Court is a statewide court of record which has exclusive jurisdiction of all applications for the registration of title to land and easements or rights in land held and possessed in fee simple within the state. It has the power to hear and determine all questions arising upon applications as they come before it under chapter 501 of the Hawai'i Revised Statutes, subject to the rights of appeal.

ACTIONS FILED

In fiscal year 2001-02, 12 contested cases were filed in the Land Court. Combined with the 114 cases pending at the end of the last fiscal year, the Land Court handled a total caseload of 126 cases.

TERMINATIONS AND PENDING CASES

Three contested cases were terminated during fiscal year 2001-02, leaving 123 cases pending at the start of the new fiscal year.

Tax Appeal Court

DESCRIPTION

The Tax Appeal Court is a statewide court with jurisdiction over disputes concerning property, excise, liquor, income and insurance taxes.

The Tax Appeal Court is located in Honolulu and convenes in the other circuits (Hawai'i, Maui and Kaua'i) at least once each year to hear disputes involving real property taxes.

ACTIONS FILED

In fiscal year 2001-02, 72 cases were filed in the Tax Appeal Court. Combined with the 703 pending cases at the end of the last fiscal year, the Tax Appeal Court's total caseload was 775 cases.

TERMINATIONS AND PENDING CASES

The Tax Appeal Court terminated a total of 97 cases or 13% of the Court's caseload during the 2001-02 fiscal year. Six hundred seventy eight cases remained pending at the close of the fiscal year.

Trial Courts

Hawaii's trial level is comprised of Circuit Courts and District Courts. Family Courts are included in the Circuit Courts. Hawaii's trial courts function in four judicial circuits that correspond approximately to the geographical areas served by the counties.

The First Judicial Circuit serves the City and County of Honolulu.

The Second Judicial Circuit serves the County of Maui, which includes the islands of Maui, Moloka'i (including the settlement of Kalawao), and Lāna'i.

The Third Judicial Circuit, divided into the districts of Hilo and Kona, administers the County of Hawai'i.

The Fourth Judicial Circuit is no longer used as a circuit designation. The Third and Fourth Circuits merged in 1943.

The Fifth Judicial Circuit serves the County of Kaua'i, which includes the islands of Kaua'i and Ni'ihau.

Circuit Courts

STRATEGIC MISSION

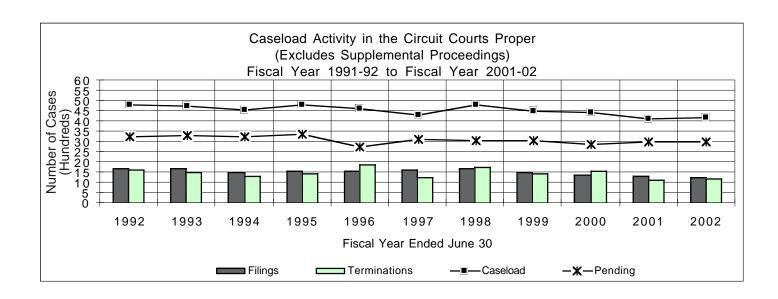
The mission of the Circuit Court is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.

DESCRIPTION

All jury trials are held in the Circuit Courts, which have general jurisdiction in civil and criminal cases. They also have exclusive jurisdiction in probate, guardianship and criminal felony cases, as well as civil cases where the contested amount exceeds \$20,000. Circuit Courts share concurrent jurisdiction

with District Courts in civil non-jury cases that specify amounts between \$10,000-\$20,000. Additional cases dispensed by the Circuit Courts include mechanics' lien, and misdemeanor violations transferred from the District Courts for jury trials.

Circuit Court judges are appointed to ten-year terms by the Governor from a list of not less than four and not more than six nominees provided by the Judicial Selection Commission. The nominees are subject to confirmation by the State Senate.



Circuit Courts

ACTIONS FILED

Filings in the Circuit Courts Proper totaled 12,595 cases in fiscal year 2001-02. Of the cases filed, 4,770 or 38%, were civil cases, and 4,844, or 38%, were criminal cases.

TERMINATIONS

During fiscal year 2001-02, the Circuit Courts terminated 11,685 cases.

STATUS OF PENDING CASES

At the end of the 2001-02 fiscal year, a total of 36,409 cases were pending in the Circuit Courts Proper.

ADULT PROBATION DIVISIONS

Statewide reporting of Adult Probation activity showed that there were 3,299 investigations completed during fiscal year 2001-02. In supervision cases, where persons were placed on probation or subject to court-ordered control, including offenders released from the Hawai'i State Hospital, there were 2,041 new placements added to the 10,576 cases pending from the previous fiscal year. Of these, 1,743 cases were closed, leaving 10,874 open at the end of the 2001-02 fiscal year.

Judges and their Terms

FIRST JUDICIAL CIRCUIT

KARL K. SAKAMOTO, 1^{ST} DIVISION June 1, 2000 - May 31, 2010

Steven S. Alm, 2^{ND} Division May 14, 2001 - May 13, 2011

VICTORIA S. MARKS, 3^{RD} DIVISION May 26, 1994 - May 25, 2004

GAIL C. NAKATANI RETIRED May 10, 2002

MARCIA J. WALDORF, 4^{TH} DIVISION June 18, 2002 - June 17, 2012

Eden Elizabeth Hifo, 5^{TH} Division April 30, 1993 - April 29, 2003

MICHAEL D. WILSON, 6^{TH} DIVISION May 10, 2000 - May 9, 2010

RICHARD W. POLLACK, 7^{TH} DIVISION May 10, 2000 - May 9, 2010

RICHARD K. PERKINS, 8^{TH} DIVISION May 6, 1994 - May 5, 2004

VIRGINIA LEA CRANDALL, 9^{TH} DIVISION April 1, 2001 - March 31, 2011

WILFRED K. WATANABE, 10^{TH} DIVISION April 30, 1995 - April 29, 2005

KAREN S. S. AHN, 11[™] DIVISION May 10, 2000 - May 9, 2010

Sandra A. Simms, 12^{TH} Division May 26, 1994 - May 25, 2004

DEXTER D. DEL ROSARIO, 13^{TH} DIVISION April 15, 1994 - April 14, 2004

Gary W. B. Chang, 14^{TH} Division June 1, 1999 - May 31, 2009

Karen N. Blondin, 15[™] Division Deputy Chief Judge Civil Administration May 11, 2002 - May 10, 2012

Marie N. Milks, 16^{th} Division March 16, 1994 - March 15, 2004

Reynaldo D. Graulty, 17^{TH} Division March 5, 1999 - March 4, 2009

Frances Q. F. Wong, 18TH Division Deputy Chief Judge/ Senior Family Court Judge May 11, 2002 - May 10, 2012

MICHAEL A. TOWN, 19^{TH} DIVISION April 30, 1993 - April 29, 2003

Colleen K. Hirai, 20^{th} Division Chief Judge May 6, 1994 - May 5, 2004

Dan T. Kochi, 21^{st} Division Deputy Chief Judge Criminal Administration April 15, 1994 - April 14, 2004

Sabrina S. McKenna, 22^{ND} Division June 30, 1995 - June 29, 2005

DERRICK H. M. CHAN, 23RD DIVISION August 25, 2000 - August 24, 2010

Circuit Court Judges

Judges and their Terms

Circuit Court Judges

SECOND JUDICIAL CIRCUIT

SHACKLEY F. RAFFETTO, 1ST DIVISION CHIEF JUDGE/SENIOR FAMILY COURT JUDGE June 9, 1994 - June 8, 2004

JOEL E. AUGUST, 2^{ND} DIVISION June 10, 2002 - June 9, 2012

JOSEPH E. CARDOZA, 3^{RD} DIVISION June 24, 1999 - June 23, 2009

THIRD JUDICIAL CIRCUIT

Greg K. Nakamura, 1st Division Deputy Chief Judge/ Senior Family Court Judge April 18, 1994 - April 17, 2004

Riki May Amano, 2^{ND} Division April 12, 1993 - April 11, 2003

RONALD IBARRA, 3RD DIVISION CHIEF JUDGE May 10, 1999 - May 9, 2009

FIFTH JUDICIAL CIRCUIT

George M. Masuoka, 1^{st} Division Chief Judge/Senior Family Court Judge July 8, 1998 - July 7, 2008

Clifford L. Nakea, 2^{ND} Division September 22, 2000 - September 21, 2010

Family Courts

STRATEGIC MISSION

The mission of the Family Court is to provide a fair, speedy, economical and accessible forum for the resolution of matters involving families and children.

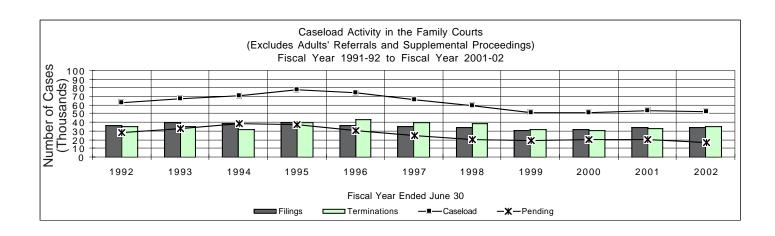
DESCRIPTION

The Family Courts were established by statute in 1965 to deal with virtually all legal problems impinging on Hawaii's families and children.

The Family Court hears all legal matters involving children, such as delinquency, waiver, status offenses, abuse and neglect,

termination of parental rights, adoption, guardianships, and detention. The Family Court also hears traditional domestic relations cases, including divorce, nonsupport, paternity, uniform child custody jurisdiction cases, and miscellaneous custody matters.

District Family Court judges are appointed to six-year terms by the Chief Justice from a list of at least six names submitted for each opening by the Judicial Selection Commission, subject to confirmation by the State Senate.



Family Courts

ACTIONS FILED

A total of 34,241 cases were filed in the Family Courts in fiscal year 2001-02.

TERMINATIONS

Terminations totaled 35,833 in fiscal year 2001-02.

STATUS OF PENDING CASES

There were 17,009 cases pending at the end of fiscal year 2001-02.

Judges and their Terms

FIRST JUDICIAL CIRCUIT

Frances Q. F. Wong, First Circuit Court 18th Division
Deputy Chief Judge/
Senior Family Court Judge
May 11, 2002 - May 10, 2012

STEVEN S. ALM, FIRST CIRCUIT COURT 2ND DIVISION
May 14, 2001 - May 13, 2011

Marcia J. Waldorf, First Circuit Court 4^{TH} Division June 18, 2002 - June 17, 2012

R. MARK BROWNING June 6, 1997- June 5, 2003

JOHN C. BRYANT, JR. Retired September 30, 2002

Darryl Y. C. Choy January 4, 2000 - January 3, 2006

KENNETH E. ENRIGHT February 28, 1997 - February 27, 2003

LINDA K. C. LUKE
December 29, 1998 - December 28, 2004

Paul T. Murakami June 7, 2002 - June 6, 2008

KAREN M. RADIUS December 9, 2000 - December 8, 2006

ALLENE K. SUEMORI March 31, 1999 - March 30, 2005

BODE A. UALE October 27, 1998 - October 26, 2004

SECOND JUDICIAL CIRCUIT

SHACKLEY F. RAFFETTO, SECOND CIRCUIT COURT 1ST DIVISION
CHIEF JUDGE/SENIOR FAMILY COURT JUDGE
June 9, 1994 - June 8, 2004

Geronimo Valdriz, Jr. May 26, 2000 - May 25, 2006

ERIC G. ROMANCHAK
October 29, 2000 - October 28, 2006

THIRD JUDICIAL CIRCUIT

Greg K. Nakamura, Third Circuit Court 1st Division Deputy Chief Judge/ Senior Family Court Judge April 18, 1994 - April 17, 2004

BEN H. GADDIS May 17, 2001 - May 16, 2007

ALEY K. AUNA, JR. April 4, 2000 - April 3, 2006

TERENCE T. YOSHIOKA April 28, 2000 - April 27, 2006

FIFTH JUDICIAL CIRCUIT

George M. Masuoka, Fifth Circuit Court 1st Division Chief Judge/Senior Family Court Judge July 8, 1998 - July 7, 2008

Calvin K. Murashige June 25, 1999 - June 24, 2005 Family Court Judges

District Courts

STRATEGIC MISSION

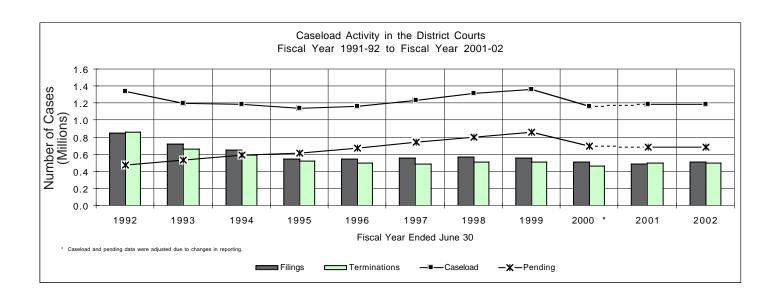
The mission of the District Court is to serve the people of Hawai'i through the fair and efficient adjudication and resolution of cases and controversies brought before it.

DESCRIPTION

The District Courts have exclusive jurisdiction over traffic infractions, summary possession or ejectment proceedings (landlord-tenant), regardless of the amount of the claim. The District Courts also have jurisdiction over non-jury trial civil cases where the debt, amount, damages, or value of the property claimed does not exceed

\$20,000, or where the remedy sought is specific performance valued under \$20,000, criminal offenses punishable by fine or by imprisonment not exceeding one year, cases arising from violations of a county ordinance, and petitions for restraining orders for relief from and for injunctions against harassment.

District Court judges are appointed to six-year terms by the Chief Justice from a list of at least six names submitted for each opening by the Judicial Selection Commission, subject to confirmation by the State Senate.



District Courts

ACTIONS FILED

During the 2001-02 fiscal year, 511,544 cases were filed in the District Courts. Traffic violation cases constituted the bulk of the filings, accounting for 85% of all case filings. Civil actions represented approximately 4% of filings, criminal actions 10%, and other violations 1%.

TERMINATIONS

A total of 507,336 cases were terminated in the District Courts during the fiscal year.

Pending Cases

There were 689,356 cases pending at the end of fiscal year 2001-02.

Judges and their Terms

District Court Judges

FIRST JUDICIAL CIRCUIT

DAVID L. FONG Retired October 31, 2002

HILARY BENSON GANGNES May 22, 2002 - May 21, 2008

COLETTE Y. GARIBALDI DEPUTY CHIEF JUDGE February 28, 1997 - February 27, 2003

LESLIE ANN HAYASHI November 5, 2002 - November 4, 2008

Gerald H. Kibe January 6, 2001 - January 5, 2007

GEORGE Y. KIMURA May 22, 1998 - May 21, 2004

DAVID W. LO August 23, 2000 - August 22, 2006

CHRISTOPHER P. MCKENZIE May 22, 2002 - May 21, 2008

RUSSEL S. NAGATA October 5, 1998 - October 4, 2004

RHONDA A. NISHIMURA June 6, 1997 - June 5, 2003

CLARENCE A. PACARRO June 7, 2002 - June 6, 2008

BARBARA P. RICHARDSON May 5, 2000 - May 4, 2006

TENNEY Z. TONGG Retired March 15, 2002

Fa'Auuga To'Oto'O December 9, 2000 - December 8, 2006

SECOND JUDICIAL CIRCUIT

REINETTE W. COOPER May 7, 2001 - May 6, 2007

Douglas H. Ige Deputy Chief Judge June 28, 2002 - June 27, 2008

RHONDA I. L. LOO May 1, 1997 - April 30, 2003

THIRD JUDICIAL CIRCUIT

JEFFREY CHOI DEPUTY CHIEF JUDGE Retired October 31, 2002

JOSEPH P. FLORENDO, JR. November 3, 1998 - November 2, 2004

SANDRA E. P. SCHUTTE June 2, 1997 - June 1, 2003

FIFTH JUDICIAL CIRCUIT

CALVIN K. MURASHIGE DEPUTY CHIEF JUDGE June 25, 1999 - June 24, 2005

Trudy K. Senda May 4, 2001 - May 3, 2007

Per Diem Judges

FIRST JUDICIAL CIRCUIT

John Campbell, Jr. William A. Cardwell Marilyn Carlsmith Valerie W.H. Chang Gale L.F. Ching Lawrence R. Cohen James H. Dannenberg Paula Devens-Matayoshi Philip Doi Peter V.N. Esser Peter C.K. Fong Christine E. Kuriyama Lenore K.J.H. Lee Lono J. Lee Wilson M.N. Loo Michael A. Marr Richard A. Marshall Patricia Ann McManaman William J. Nagle III Katharine M. Nohr Lillian Ramirez-Uy Nancy Ryan Yvonne R. Shinmura Peter T. Stone Clyde E. Sumida Matthew J. Viola William K. Wallace, III Timothy David Woo, Jr.

Gregg Young

SECOND JUDICIAL CIRCUIT

Jan K. Apo Ruby A. Hamili Paul L. Horikawa Mary Blaine Johnston Barclay E. MacDonald Jack R. Naiditch Anthony L. Ranken Douglas J. Sameshima

THIRD JUDICIAL CIRCUIT

Karen Napua Brown William S. Chillingworth Victor M. Cox Colin L. Love Matthew S.K. Pyun, Jr. Shawn Maile Nakoa John P. Moran Elizabeth Ann Strance Barbara T. Takase George S. Yuda

FIFTH JUDICIAL CIRCUIT

Max W.J. Graham, Jr. Walton D.Y. Hong Joseph N. Kobayashi Gerald S. Matsunaga Frank D. Rothschild

Support Services

STRATEGIC MISSION

The mission of the Office of the Administrative Director of the Courts is to promote the administration of justice in Hawai'i by providing professional, responsive administrative support to the Chief Justice, the courts and Judiciary programs and to expedite, facilitate and enhance the mission of the Judiciary.

ADMINISTRATION

The Office of the Administrative Director of the Courts has the primary responsibility for the daily operations of the court system. The Administrative Director is appointed by the Chief Justice with the approval of the Supreme Court, and is assisted by the Deputy Administrative Director.

The Administrative Director also has the responsibility of coordinating the Judiciary's annual presentations to the Legislature, both for the Judiciary budget and for changes in laws relating to the operation of the judicial system.

Administrative programs are divided into three divisions: the Intergovernmental and Community Relations Division, the Support Services Division, and the Policy and Planning Division. Programs that fall under the three divisions include: Affirmative Action/EEO, Budget and Statistics, Fiscal and Support Services, Equality and Access to the Courts, Internal Audit, Judicial Education and Resource Development, Personnel, Planning and Evaluation, Public Affairs, Staff Attorneys, Telecommunication and Information Services. and Volunteers in Public Service to the Courts. Other program components which carry statewide operational responsibilities are the Administrative Driver License Revocation Office. Center for Alternative Dispute Resolution, Children's Justice Centers, King Kamehameha V - Judiciary History Center, Law Library, Office of the Public Guardian, Records Management, and Special Projects/Legislative Office.

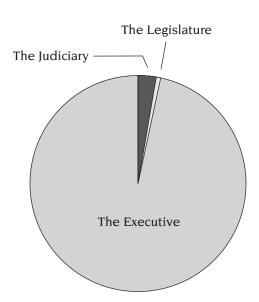
Financial Resources

Appropriations for the Hawai'i State Judiciary are made by the Legislature on a statewide basis, with each fiscal year beginning July 1 and ending June 30. Both the operating and capital improvements budgets of the Judiciary are legislatively determined each biennium with operating monies allocated from the State General and Special Funds and capital improvement monies from the State Capital Project Fund.

Combined, the State General and the Capital Project Funds represent over 96 percent of the funding source of all Judiciary expenditures. The Legislature appropriated \$105,641,716 from the State General Fund for operations during the current fiscal year, and \$14,314,000 to the Judiciary from the State Capital Project Fund. Other operating monies come from federal funds, trust funds, and special revenue funds such as the Driver Education and Training Fund.

Financial Resources

THE JUDICIARY **OPERATING FUNDS** FISCAL YEARS 2002-2005 BUDGET SUMMARY FY 2002 Actual FY 2003 Biennium Budget Request **PROGRAM** Expenditures Appropriations FY 2004 FY 2005 JUD 101 - COURTS OF APPEAL General Fund 5,284,856 5,117,608 5,874,885 5,816,875 Revolving Fund 243,261 30,891 243,261 243,261 JUD 310 - FIRST JUDICIAL CIRCUIT General Fund 54,125,351 55,985,031 56,753,672 56,790,302 Special Fund 1,953,665 3,274,737 3,112,683 3,112,683 JUD 320 - SECOND JUDICIAL CIRCUIT General Fund 11,031,009 11,428,602 11,811,606 12,167,696 JUD 330 - THIRD JUDICIAL CIRCUIT General Fund 12,746,959 13,602,441 14,015,296 14,410,260 JUD 350 - FIFTH JUDICIAL CIRCUIT General Fund 3,902,408 4,794,217 4,828,366 5,215,422 JUD 601 - ADMINISTRATION General Fund 18,255,681 18,553,952 24,674,210 24,900,680 Special Fund 1,387,743 3,568,207 6,430,261 6,430,261 **TOTALS** General Fund 105,346,264 109,481,851 117,958,035 119,301,235 Special Fund 3,341,408 6,842,944 9,542,944 9,542,944 243,261 Revolving Fund 30,891 243,261 243,261



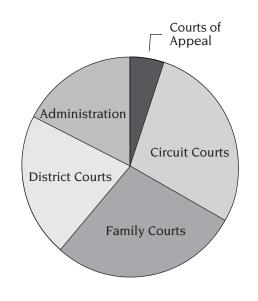
Total State Government Appropriations From State General Fund Fiscal Year 2001-02

| The Judiciary | 2.82% | \$ 105,641,716 |
|-----------------|--------|---------------------|
| The Legislature | .61% | 23,024,917 |
| The Executive | 96.57% | 3,624,272,568 |
| | | |
| Total | | \$ 3,752,939,201 |

Financial Resources

State General Fund Expenditures by Court Element Fiscal Year 2001-02

| Courts of Appeal | 5.0% | Ś | 5.3 million |
|------------------|-------|----|---------------|
| Circuit Courts | 28.7% | · | 30.3 million |
| Family Courts | 29.2% | | 30.8 million |
| District Courts | 19.8% | | 20.9 million |
| Administration | 17.3% | | 18.3 million |
| | | | |
| Total | | \$ | 105.6 million |



"Other" Current Expenses Payroll Costs

STATE GENERAL FUND EXPENDITURES BY COST CATEGORY FISCAL YEAR 2001-02

| Equipment | 1% | \$ 1.3 million |
|--------------------------|-----|---------------------|
| "Other" Current Expenses | 33% | 34.6 million |
| Payroll Costs | 66% | 69.7 million |
| Total | | \$ 105.6 million |

List of Available Judiciary Publications

If you are interested in the following publications, please contact:

The Judiciary Public Affairs Office Ali'iólani Hale 417 South King Street Room 206-C Honolulu, Hawai'i 96813

Internet site: www.courts.state.hi.us

PUBLICATIONS

Are You Interested in Being a Court Interpreter?

Attorney-Client Relations Program

Being 18-Local Style

Center for Alternative Dispute Resolution

Children and Divorce

Children's Justice Center of O'ahu

Commission on Judicial Conduct

Community Mediation

Community Service Sentencing Branch

Court Orientation Tours

Disciplinary Complaints Against Lawyers

Going to Small Claims Court? What Do You Know About Mediation?

Going to Probate Court? What Do You Know About Mediation?

Judiciary History Center

Lawline

Lawyer Referral Information Service

Selecting a Mediator

Speakers Bureau Program

The Judiciary State of Hawai'i 2002 Annual Report

The Judiciary State of Hawai'i 2002 Statistical Supplement

The Judiciary Welcomes Volunteers

Your Guide to Small Claims Court

Your Guide to Regular Claims Court

VIDEOS

An Informational Video on Deferred Acceptance of Guilty (DAG)/

Deferred Acceptance of No Contest (DANC) Plea (TRT 18:00)

Broken Scales: Justice Under Influence (TRT 18:17)

Informational Video on Small Claims (TRT 16:18)

Informational Video on Traffic Violations (TRT 15:15)

Jury Orientation Video (TRT 18:25)

Mediation: An Alternative to Court (TRT: 18:00)

The Purple Family: Divorce Education Video (TRT 23:52)